

**REMARKS**

Claims 1-28 are pending in the application and are subject to a restriction requirement. In particular, the Examiner finds the claims are directed to two distinct inventions, as defined by claims 1-14 (Invention I, a device for purifying a liquid) and claims 15-28 (Invention II, a method for purifying a liquid), because the apparatus could be used to carry out another and materially different process, for example, to disinfect a gas. We respectfully traverse the Examiner's request. The Examiner offers no support whatsoever for his bland assertion that the claimed device, which is very clearly set out in the preamble as being a device for purifying a liquid stream, could be used to disinfect a gas. There is no statement anywhere in the specification on which the Examiner can base this assertion, and the Examiner cites no other references that Applicant could look to. The Examiner appears to be relying completely upon his own background and perhaps facts within his own knowledge and understanding, and Applicant respectfully disagrees with the Examiner's conclusions. Thus, Applicant respectfully requests the Examiner to reconsider and withdraw the present restrictions requirement or, in the alternative, to issue an Affidavit pursuant to 37 C.F.R. § 1.104(d)(2) in support of the assertion that the presently claimed device for purifying a liquid stream could be used to disinfect a gas.

Applicant further traverses the Examiner's assertion that the claims are directed to multiple patentably distinct species, because all claims are in fact generic. Pursuant to the requirements of 37 C.F.R. 1.143 for a responsive reply, Applicant hereby provisionally elects, with traverse, claims 15-28 drawn to a method for purifying a liquid and, pursuant to the requirements of 35 U.S.C. 121, further elects species 2, directed to claims 3 and 16, for prosecution on the merits if no generic claim shall finally be held to be allowable.

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.



The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 5, 2005

(Date of Transmission)

Mia Kim

(Name of Person Transmitting)

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7/5/05

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Respectfully submitted,

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